

## REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application. The claims have been amended to more clearly define the invention. More specifically, the claims have now been limited to the *Lactobacillus plantarum* strain of lactic bacteria. No new matter has been added.

As mentioned above, the claims have been limited to cover the *Lactobacillus plantarum* strain of lactic bacteria. It is noted that this strain is not mentioned in the principal reference US 5942263. It is also not mentioned in the Examiner's third reference, that being US 5527505. It is only referenced in the Examiner's US 4205132. This is not a reference that teaches about treating milk; it is a reference teaching lyophilization, that is, vacuum freeze-drying of heat sensitive compositions. In the '132 reference, *Lactobacillus plantarum* is mentioned only once, and that is at column 3 lines 37-42, where it states "Other lactic acid producing bacteria include those used for making fermented meat products and pickles such as *Pediococcus cerevisiae* and *Lactobacillus plantarum* and mixtures thereof as well as members of the family *Micrococcaceae*". In summary, the teachings of the prior art teach *Lactobacillus plantarum* for making fermented meat products and pickles, it does not teach *Lactobacillus plantarum* for treating milk. All of the claims have now been limited to treating milk with *Lactobacillus plantarum*. Since none of the references, alone or in combination, teach *Lactobacillus plantarum* for treating milk, it is clear that the claims as now presented define over the prior art. It is also noted that a person of ordinary skill in the art knows that raw milk from cows is stored at a temperature from 4-8° C. Accordingly, the claims are now in condition for allowance, which is respectfully requested. If any further fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. HOFF-38315.

Respectfully submitted,  
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